

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

David L. Gist, Sr.

Plaintiff

vs.

CASE NUMBER: 5:09-CV-1361 (NPM/GHL)

**United States; U.S. Attorney; Attorney General of the United States; M.D. Res
Tremitti; Warnecte; Anderson M.; S. Kyles; and U.S. Respondent Supervisor**
Defendants

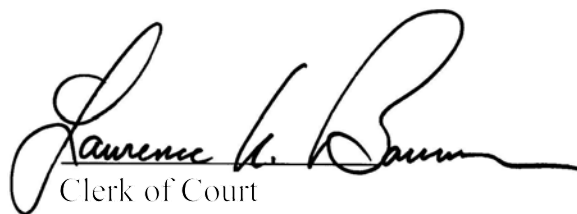
Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That defendants' motion to Dismiss the Amended Complaint for lack of subject matter jurisdiction is GRANTED. Therefore judgment is entered in favor of the defendants and this action is closed.

All of the above pursuant to the order of the Honorable Judge Neal P. McCurn, dated the 17th day of January, 2012.

DATED: January 20, 2012


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk